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6 UNITED STATES DISTRICT COURT  
7 WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

8 HOLLY RYDMAN, individually and on  
9 behalf of a class of similarly situated  
individuals,

10 Plaintiff,

11 v.

12 CHAMPION PETFOODS USA, INC., a  
13 Delaware corporation, and CHAMPION  
PETFOODS LP, a Canadian limited  
partnership,

14 Defendants.  
15

CASE NO. C18-1578 RSM

ORDER DENYING STIPULATED  
MOTION TO WITHDRAW  
PREVIOUSLY FILED DOCUMENT  
(DKT. NO. 46)

16 This matter is before the Court on the parties' Stipulated Motion to Withdraw Previously  
17 Filed Document (Dkt. No. 46). Dkt. #49. The motion follows the Court's denial of the parties'  
18 motion to seal Plaintiff's Second Amended Class Action Complaint. Dkt. #48. The Court denied  
19 the previous motion to seal because the motion did not address the applicable legal standard, did  
20 not provide a specific basis for maintaining portions of the Second Amended Class Action  
21 Complaint under seal, and did not adequately indicate the information the parties intended to  
22 redact from a publicly available copy. *Id.* The parties now seek to withdraw the Second  
23 Amended Class Action Complaint (Dkt. #46) that was previously filed under seal.

24 For specific authority, the parties cite to Local Civil Rule 5(g):

1 [w]hen the court denies a motion to seal, . . . the party who is relying on the sealed  
2 document [may] request . . . the court withdraw the document from the record  
3 rather than unseal it. If a document is withdrawn on this basis, the parties shall not  
4 refer to it in any pleadings, motions or other filings, and the court will not consider  
5 it.

6 Dkt. #49 at 2 (citing LCR 5(g)) (alterations in original). That quotation, however, omits material  
7 aspects of the cited rule. In full, the relevant rule reads as follows:

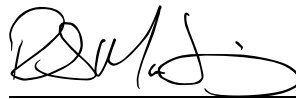
8 When the court denies a motion to seal, the clerk will unseal the document unless  
9 (1) *the court orders* otherwise, or (2) the party who is relying on the sealed  
10 document requests *in the motion to seal or response that, if the motion to seal is*  
11 *denied*, the court withdraw the document from the record rather than unseal it. If  
12 a document is withdrawn on this basis, the parties shall not refer to it in any  
13 pleadings, motions or other filings, and the court will not consider it.

14 LCR 5(g)(6) (emphasis added).

15 The parties did not “request[] in the motion to seal or response” that the Court allow the  
16 document to be withdrawn if the Court did not agree to maintain the document under seal. *See*  
17 Dkt. #44. Nor do the parties now attempt to establish a different basis justifying a court order  
18 placing the Second Amended Class Action Complaint under seal. Dkt. #49. Rather, the parties  
19 attach a declaration from Defendant’s Director, FPA & Treasury specifying that the portions of  
20 the Second Amended Class Action Complaint they seek to hide from public view reveal  
21 “confidential trade secrets.” Dkt. #49-1. The Court considers the argument overly conclusory.  
22 More importantly, this is more akin to an unwarranted motion for reconsideration. *See* LCR 7(h)  
23 (“Motions for reconsideration are disfavored. The court will ordinarily deny such motions in the  
24 absence of a showing of manifest error in the prior ruling or a showing of new facts or legal  
authority *which could not have been brought to its attention earlier with reasonable diligence.*”)  
(emphasis added).

1 Accordingly, having reviewed the parties' stipulated motion, the applicable legal  
2 standards, and the remainder of the record, the Court finds and ORDERS that the parties'  
3 Stipulated Motion to Withdraw Previously Filed Document (Dkt. #49) is DENIED.

4 Dated this 24 day of March, 2020.

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7 RICARDO S. MARTINEZ  
8 CHIEF UNITED STATES DISTRICT JUDGE  
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